

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

Robson Xavier Gomes, et al.

v.

Civil No. 20-cv-453-LM

U.S Department of Homeland Security,
Acting Secretary, et al.


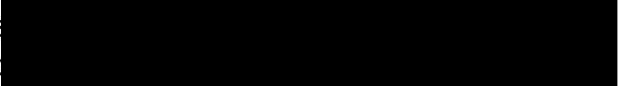
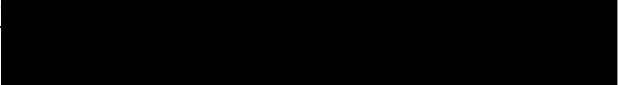
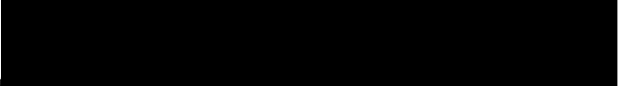
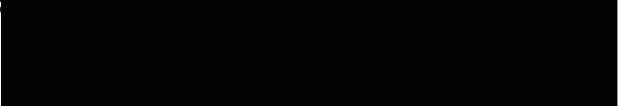
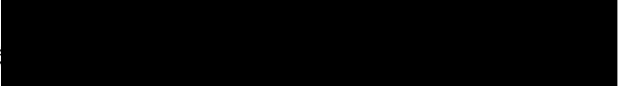
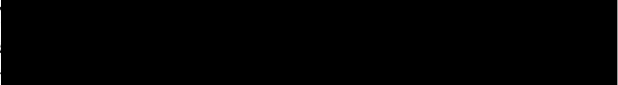

**ORDER SETTING CONDITIONS OF RELEASE
RELATIVE TO RELEASE OF INDIVIDUAL CLASS MEMBER
Emmanuel Evariste**

IT IS ORDERED that the release of the petitioner/plaintiff is subject to the following conditions:

1. ☒ You shall not commit any offense in violation of federal, state, or local law while on release in this case.
2. ☒ If the Court orders you to surrender, you will do so at the date, time, and location set by the Court.
3. ☒ Upon release from custody, you are to follow Centers for Disease Control ("CDC") recommended precautions for the quarantine of individuals who may have been exposed to COVID-19, including to stay at home for 14 days after leaving the facility. This 14-day quarantine may be lifted only in the event that you test negative for COVID-19 during the quarantine.
4. ☒ During and after the 14-day quarantine, you shall adhere to all applicable CDC recommended social-distancing guidelines and other orders and recommendations issued by federal, state, or local governments designed to limit the spread of COVID-19.
5. ☒ You shall abide by all DHS/ICE/ERO Orders of Supervision unless such orders conflict with the orders of this Court. As part of your DHS/ICE/ERO Order of Recognizance/Supervision you will be enrolled in an Alternatives to Detention program (see para 6 for electronic monitoring of ATD). You must comply with the requirements of the ATD program.
6. ☒ Your ATD program includes electronic monitoring.
7. ☒ You shall assist Immigration and Customs Enforcement with obtaining a travel document if requested to do so.

8. ☒ You shall appear at a status conference on July 1, 2020. That status conference shall occur via either telephone or video, as determined by the Court. You shall appear at all other proceedings as required (in-person, telephonically, or by video) and as ordered by the Court.
9. ☒ You shall be under house arrest, which in your case means that you shall be restricted to your residence or designated address unless:
- a. ☒ You need to attend court hearings.
 - b. ☒ You need to go to a doctor's office or hospital.
 - c. ☒ You need to visit your attorney.
 - d. ☐ You need to go to work if you are employed by a business or organization that is permitted to be open under applicable state and local "stay-at-home" orders. You must have a valid work authorization issued by U.S. Citizenship and Immigration Services in order to leave your designated place or residence for work purposes.
 - e. ☒ You need to leave your designated place or residence to get groceries for yourself at a grocery store, as permitted under applicable state and local "stay-at-home" orders.
- ☐ Additional exceptions:
10. ☒ You shall be subject to home, video, or telephone visits by ICE (or a contractor hired by ICE) to confirm your compliance with the terms and conditions of this bail order. You shall appear for office visits at ICE (or the ICE contractor's office) as required by ICE.
11. ☒ You shall ask for the Court's permission to change the designated place or residence unless your situation requires the immediate change of the designated place (e.g., for safety reasons). In the latter case, you shall immediately advise the Court, counsel for petitioners/plaintiffs, and the U.S. Attorney in writing.

12. ☐ Special condition(s):

13. You shall submit a release plan with the following information:
- a. Designated Place/Residence Address During 14-Day Quarantine Period:
 - i. ADDRESS: 
 - b. Your custodian during 14-day quarantine:
 - i. NAME: ~~De~~ 
 - ii. PHONE NUMBER: 
 - iii. EMAIL: 
 - c. Designated Place/Residence Address After 14-Day Quarantine:
 - i. ADDRESS: 
 - d. Your custodian after 14-day quarantine:
 - i. NAME: ~~Don~~ 
 - ii. PHONE NUMBER: 
 - iii. EMAIL: 

Your release plan shall be redacted from the public version of this order.

TO IMMIGRATION AND CUSTOMS ENFORCEMENT:

PETITIONER SHALL NOT BE ARRESTED WHILE ON RELEASE IN THIS CASE UNLESS:

- a. there exists a warrant issued for his arrest by a United States Magistrate Judge or United States District Judge for violating the terms and conditions of this order; or
- b. there is a final order of removal making you presently removable from the United States within two weeks.

TO THE PETITIONER:


YOU ARE ADVISED OF THE FOLLOWING PENALTIES:

A violation of any of the foregoing conditions of release may result in the immediate issuance for your arrest, a revocation of release, and an order of detention.

ACKNOWLEDGMENT OF PETITIONER

I acknowledge that I am the petitioner in this case and that I am aware of the conditions of release. I promise to obey all conditions of release and to appear as directed. I am aware of the penalties set forth above.

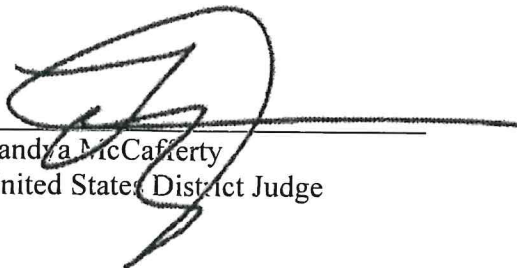
Date: 6-2-20



Signature of Petitioner

DIRECTIONS TO UNITED STATES DEPARTMENT OF HOMELAND SECURITY:

The petitioner shall not be released until he/she is processed and signs the release order. The petitioner is ORDERED released after processing.



Landya McCafferty
United States District Judge

Date: 6/2/2020

cc: Counsel of the Record